

STATE OF ALASKA
TERRORISM DISASTER POLICY CABINET

Executive Summary and Financial Information



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EXECUTIVE OVERVIEW & SUMMARY

ALASKA'S TERRORISM DISASTER POLICY CABINET

An analysis of the terrorism threat to Alaska, the State's current capability to meet that threat, the risks that result from lack of full capability in certain areas, and the actions the State needs to take to eliminate or reduce those risks.

The thoughts and recommendations contained in this report, and any action taken on them by the State of Alaska, reflect an evaluation and weighing of safety, risk, and economic, budgetary, social, and other public policy factors. Preparedness for and response to terrorist threats and incidents cannot be reduced to a single set of guidelines, but inherently involves the exercise of discretion in decision-making. Nothing in this report shall establish an actionable duty of care, standard of care, or liability of the state or any state official for claims arising out of the planning, implementation, preparedness, response, and other activities discussed.

I. INTRODUCTION

- A. The tragic events of September 11th have vaulted Terrorism and Weapons of Mass Destruction (WMD) preparedness over most other issues requiring immediate attention at all levels of government. This executive overview provides a public summary of the comprehensive report prepared by the Disaster Policy Cabinet (DPC) for the Governor of the State of Alaska concerning Terrorism/WMD policy, priorities and resources.
- B. The Disaster Policy Cabinet, chaired by Major General Phillip E. Oates, met on September 26, 2001, to begin an assessment of Terrorism/WMD in Alaska. The following approach was established by consensus of the DPC members.
 - 1. The DPC, with its experience in addressing all-hazard disaster response and recovery, was the appropriate State agency to review and forward Terrorism/WMD policy, priority and resource requirement recommendations to the Governor.
 - 2. Because of the complexity of Terrorism/WMD, the DPC established five sub-cabinet groups to develop comprehensive reports and recommendations. The focus of four of the sub-cabinet groups was primarily on the prevention of terrorist attacks. The focus of the fifth was the response and recovery from such an attack. The following sub-cabinet groups and chairpersons were established to complete this task.
 - a. Domestic Preparedness/Consequence Management Sub-cabinet: Co-Chairs – Commissioners Jay Livey (DHSS) and Phillip Oates (DMVA)
 - b. Energy Security Sub-cabinet: Co-Chairs – Deputy Commissioners Del Smith (DPS) and Marty Rutherford (DNR)
 - c. Security Sub-cabinet: Chair – Commissioner Glenn Godfrey (DPS)
 - d. Information Technology and Telecommunications Security Sub-cabinet: Chair – Commissioner Jim Duncan (DOA)
 - e. Transportation Security Sub-cabinet: Chair – Deputy Commissioner Boyd Brownfield (DOT & PF)

3. The DPC established the following principles that guided sub-cabinet efforts to establish priorities and recommendations:
 - a. Strengthen existing programs, especially those that protect and save lives
 - b. Improve capabilities for responding to all emergencies
 - c. Identify and protect assets of national and statewide importance
 - d. Maintain continuity of government operations at all levels
 - e. Reinforce first responder capabilities
 - f. Use deployable resources to augment areas with inadequate capabilities
 - g. Maintain appropriate balance between security and individual freedom
 - h. Maintain the ability to communicate at all times
 - i. Maximize use of existing or anticipated Federal programs and grants
 - j. Share costs at all levels, both public and private
- C. Weekly DPC meetings were held to review the progress of sub-cabinet efforts. Each sub-cabinet compared the threat and the State's capabilities to minimize or eliminate the threat. The vulnerabilities that emerged from these assessments became the basis for sub-cabinet recommendations. Because of many overlapping issues, the Energy and Security Sub-cabinet groups combined their findings and produced a single report. Their combined report and the other three sub-cabinet reports (Domestic Preparedness and Consequence Management, Information Technology and Telecommunications, and Transportation) were included as attachments to the full report of the Terrorism Disaster Policy Cabinet. Additionally, the full report included other attachments that described a State Office of Homeland Security, listed key assets in the State, and outlined the costs and timelines for recommendations.
- D. Section II of this document provides information concerning the key assets in the state. Section III describes the Threat. Section IV assesses Alaska's fundamental ability to respond to terrorism. Section V outlines a proposal that could allow states to increase use of the National Guard. Section VI addresses local considerations. Section VII establishes general State priorities. Section VIII proposes legislative actions. Section IX highlights funding considerations. Sections X, XI, and XII contain immediate recommendations, longer-term recommendations and a conclusion.
- E. This executive overview and summary has been written to protect sensitive information while providing essential information to the public about the process, findings, recommendations and conclusions of the Terrorism Disaster Policy Cabinet.

II. KEY ASSETS/POTENTIAL TERRORIST TARGETS

A list of Alaska's key assets that could be targets for terrorists was part of the full report. The assets were grouped geographically. Power plants and airports were considered critical in every region of the State. The Trans-Alaska Pipeline (TAPS) and the Port of Valdez were on the list of key assets, as were military installations and State/Federal buildings. The list was not intended to be fully comprehensive or exhaustive. It was presented to portray the types of assets that must be considered and protected in Alaska.

III. THE THREAT

- A. In a free and open society, accurate and timely intelligence of terrorist activities and threats becomes increasingly important. That quality of information will allow all levels of business and government to increase protection of citizens and key assets during periods of increasing threats, assuming adequate resources, policies, and procedures are available. Inter-agency sharing of intelligence information and complementary efforts to analyze information are key to the ability to establish appropriate threat levels and increase protective measures at the right places and at the right times.
- B. We are fortunate in Alaska—interagency cooperation is strong at and between all levels of government. Our strong interagency relationships, however, cannot overcome the many Federal statutes and policies that inhibit the exchange of information and intelligence with the Departments of Defense and Justice. Although firewalls exist to protect information and intelligence sources, they also inhibit the ability of states and territories to fight terrorism. A comprehensive national review should be undertaken to establish the changes to statutes and policies that are needed to allow states and territories to better protect their citizens. This will be a challenging task. We will need to retain the most essential safeguards while balancing the protection of our freedoms with the need for timely access to critical information and intelligence by states and territories.
- C. All current assessments by local, state, and federal law enforcement agencies agree that there are no known groups in Alaska that have the objective of conducting a large-scale attack or the capability to conduct such an attack. Yet, we cannot discount the possibility that individuals—for a variety of personal, political, or religious motives—could independently attack a facility or concentration of people without warning. This could be done through various delivery means such as the mail. We must always keep in mind that even the best coordination of inter-agency efforts and sharing of information will not allow a perfect assessment of the terrorist threat to Alaska.
- D. The September 11th disaster and subsequent events reveal that international terrorists are well funded, well organized and fully capable of attacking the United States. Therefore, we will assume that Alaska is a potential target. Alaska does have relatively large population centers and targets of national significance. Our geographic isolation from the “lower 48” does not guarantee that these potential targets will have immunity from attack. It is also important to recognize another reality—as our nation improves its homeland security and targets become more difficult to attack—terrorists could well look to targets that are less protected. Alaska can reduce the chances of becoming a target by devoting resources and efforts that improve the ability to identify, protect, and respond to those attacks.
- E. In the event of a terrorist attack, the State may have to respond to chemical, biological, nuclear, radiological or high explosive/incendiary events. Each event presents a different challenge and requires different resources for prevention, response, and protection. Since no state will ever have sufficient resources to respond to every possible contingency in every location where an attack might occur, accurate threat and risk assessments are necessary.
 - 1. Nuclear and radiological attacks are probably beyond the current capabilities of most terrorist groups. The materials are difficult to handle and difficult to obtain. Given

the relatively low risk of a nuclear/radiological event occurring in Alaska, preparation for this threat is given a lower priority than preparation for other types of threats.

2. As recent events indicate, chemical or biological attacks are indeed possible. Terrorists have increasing opportunities to purchase or manufacture these weapons and the ability to use them. Alaska has some capacity to respond to these types of attacks because of increasing efforts over the past five years to develop greater hazardous material (HAZMAT) capabilities. Improvements, however, are necessary because of the enormous consequences of any attack with chemical or biological weapons. These threats, because of a greater probability of occurrence and greater potential consequences, are given a high priority for resources.
3. Other events, such as the Oklahoma City bombing and the attack on the World Trade Center, highlight terrorist capabilities to employ high explosive or incendiary devices. Since these types of weapons are relatively easy to manufacture or obtain, additional resources are necessary to decrease the likelihood of these types of attacks from occurring. Strong public safety capabilities and a comprehensive law enforcement presence will help identify and prevent these attacks and will help maintain law and order if a high explosive attack does occur.

IV. THE ABILITY TO RESPOND

- A. Alaska's constitution provides a strong Office of the Governor with unified and singular authority over the Executive Branch. This structure is proving to have many advantages over other models of state governments in dealing with terrorism. In addition, the policies and procedures established in Alaska over the last ten years—because of natural disasters, oil spills, and Y2K efforts—have produced integrated and effective emergency management and inter-agency procedures at all levels.
- B. The Federal Response Plan provides an appropriate and effective foundation for response and recovery from emergencies and disasters in the nation. It also outlines the procedures that make resources available from federal and state agencies to augment and assist efforts by first responders. The State's significant supporting plans, programs, and procedures are listed below.
 1. Disaster Policy Cabinet that provides coordinated, timely, and appropriate policy and resource recommendations to the Governor
 2. State Emergency Operations Plan that delineates agency and departmental responsibilities
 3. State Emergency Coordination Center that operates 24/7/365
 4. State Emergency Response Commission that focuses on planning, preparing, and training for emergencies and disasters
 5. Local Emergency Planning Committees throughout the state that have an all-hazards charter
 6. Incident Command System that is modeled on the National Interagency Incident Management System
 7. Hazardous Material working group

- C. Alaska is one of 22 states where the Adjutant General and Commander of the National Guard is also a Cabinet member who is responsible for state emergency management. This arrangement encourages a single and strong focus for state emergency response while facilitating inter- and intra-agency coordination and cooperation at local, state, and federal levels. The recent addition of a 24/7/365 State Emergency Coordination Center (SECC) capability in Alaska adds yet another advantage. We are now one of some 19 states that have a more rapid means to react, respond, and provide resources to a WMD incident or other emergency event where the time, efficiency, and effectiveness of that response are critical for success.
- D. Since 1996, the State has had a Hazardous Material (HAZMAT) working group that has been developing a Level A capability for chemical response. The Department of Environmental Conservation (DEC) provides the chair for this group. Meetings are held periodically to inventory and update a list of HAZMAT capabilities in Alaska and develop statewide standard operating procedures.
 - 1. With the consensus of the work group, DEC has built upon the core HAZMAT capability for the two partnered response organizations Municipality of Anchorage Fire Department and the Fairbanks North Star Borough. Both now have 24-hour Level A capability, with 40 responders in Anchorage and 24-30 in Fairbanks. Agreements between State and local governments permit deployment of these teams anywhere in Alaska at the direction of the State On Scene Coordinator. The State reimburses the costs of these responses and relieves the communities of liability, indemnification, and worker's compensation responsibilities.
 - 2. There are also local response agreements with local communities to increase HAZMAT training, funding, and response throughout Alaska. Training is routinely available by the Environmental Protection Agency (EPA), DEC, and the National Guard. To date, there are 1,895 trained personnel in Alaskan communities (a total that includes 786 trained National Guard members).
 - 3. There are three immediate needs. The first is to have the core HAZMAT teams equipped and trained to deal with biological threats. The second is to establish additional core regional HAZMAT capabilities in other areas of the state, particularly the Southeast. The third is to ensure that the National Guard 103rd Civil Support Team is fully equipped and certified to respond to any nuclear, biological, or chemical incident.
- E. The greatest national shortages in capabilities and resources to respond and react to WMD events are in the areas of public health and medical response. Alaska is no exception to these shortages. To deal with a mass casualty event, our nation and State must make the increase in public health and medical capabilities, and the ability to deploy these resources, very high priorities.
- F. There are changes to programs and policies in Alaska that will allow us to be even more effective in responding to terrorism while providing better protection to our citizens and key assets. The following changes will significantly improve the capability of Alaska's Emergency Management System to address events of terrorism and weapons of mass destruction.
 - 1. Actions are necessary to improve rapid and timely notification to medical personnel at all levels, both private and public, about any sickness or disease that may be a

result of a terrorist attack. Notifications relying on individuals to read a FAX or electronic mail message will not be sufficient for some WMD events.

2. Plans must be completed and approved regarding the National Pharmaceutical Stockpile and the Alaskan Pharmaceutical Cache.
 3. A database should be established of retired and non-active licensed health care providers, veterinarians, and dentists who could assist in mass casualty situations.
 4. Plans, protocols, and procedures should be refined and strengthened to ensure continuity of government operations and continuous communications at all times—before, during, and after an event.
 5. The Emergency Operations Plan and Emergency Management System should address and outline specific policies, procedures, actions, responsibilities, and training for WMD events.
 6. Formal and permanent procedures should be developed to obtain, analyze, and disseminate threat information.
 7. Standing Incident Management Teams should be established for WMD events.
 8. Greater efforts should be made to identify, plan, and exercise urban search and rescue teams, state disaster medical teams, and mortuary teams.
- G. In every disaster response over the past few years, after action reviews reveal that the lack of interoperable communications is always at the top of significant issues. Emergency responders from different response units are frequently unable to communicate by radio even when they are only a few yards apart. The Alaska Land Mobile Radio System (ALMRS) would virtually eliminate this long-standing problem. Completion of ALMRS will significantly improve the State's ability to respond to all disasters, including WMD events.

V. THE NATIONAL GUARD

- A. The Alaska Army National Guard is uniquely structured to accomplish homeland security. The basic mission of the Scout Group is reconnaissance, surveillance, and security of critical sites while operating in hazardous environments. The Scout Group has aviation capabilities—both rotary and fixed wing—to perform many tasks that are important in a homeland security role. These tasks include combat search and rescue, troop and equipment movement, and medical evacuation. The recent addition of a 22-member deployable team to the Alaska Army National Guard—the 103rd Civil Support Team—also provides a significant ability to accomplish rapid assessment, testing, identification, and detection of nuclear, biological, and chemical agents and limited decontamination operations and communication support while giving expert on-scene advice to first responders.
- B. Federal statutory and policy changes are now possible that could permit greater use of the National Guard on a daily basis in a homeland security role. This is because of the recent and more liberal legal interpretation of “other duties” in 32 USC 112 that allowed federally funded National Guard forces to perform airport security roles, while remaining under a Governor's control. The Alaska National Guard is already one of several states that have another program that fits this new model. This program provides

federally funded National Guard personnel and equipment for inter-agency support of drug demand reduction and counter drug activities under the direction of the Governor.

- C. Another recommended change would be to give governors, through their Adjutant Generals, coordination authority over all military forces in the state—active, reserve, and National Guard—that are providing military support to civil authorities. This would significantly enhance a governor's ability to ensure appropriate protection to the citizens of the state. It is also a change that is complementary and supportive of the broad powers that governors already have in an emergency or disaster.

VI. LOCAL CONSIDERATIONS

This report focuses on statewide needs rather than the individual analyses of each community's needs. However, the recommendations in this report assist and broadly supplement local capabilities, either directly or on a regional basis. For example, adding State Troopers, providing first responder training and completing the Health Alert Network are actions in direct support of communities. Expanding the State's public and environmental health capabilities, creating additional Level A HAZMAT Teams, improving security at airports and planning for receipt of the National Pharmaceutical Stockpile improve the State's capabilities to support communities on a regional basis. When it is recommended that a resource be placed in a specific jurisdiction (e.g., an additional HAZMAT Team), it is to serve as a regional resource, not just a local asset. This regional approach is consistent with the DPC's guiding principles. For high cost, high maintenance and training intensive items, this approach provides efficiency and effectiveness.

VII. GENERAL STATE OF ALASKA PRIORITIES

This review of capabilities and vulnerabilities in Alaska led to the following five general requirements, listed from highest priority, as a guide for the expenditure of resources for counter-terrorism.

- A. Expand public safety capabilities with an emphasis on community safety, emergency response and security of communications, transportation, the Trans-Alaska Pipeline and public utilities infrastructure
- B. Expand public health capabilities to detect and respond to biological or chemical incidents or attacks
- C. Establish additional and deployable medical response capabilities
- D. Increase HAZMAT and WMD response training for first responders and develop a greater deployable capability for conducting operations in a contaminated environment anywhere in Alaska
- E. Secure Alaska's communications infrastructure and provide full and comprehensive interagency communications through the Alaska Land Mobile Radio System for local, state, federal and private entities.

The State should immediately establish an Office of Homeland Security to implement these priorities and the other specific recommendations in this report.

VIII. LEGISLATIVE ACTIONS FOR CONSIDERATION

Alaska has developed a strong system of emergency management, but legislative or regulatory changes are possible that could assist effort to improve the State's procedures for dealing with terrorism. Although a comprehensive review is necessary, a preliminary assessment indicates that the following legal analyses and policy reviews should occur.

- A. Revise Alaska statutes to allow the State to become a signatory to the Emergency Management Assistance Compact (a national disaster response mutual aid agreement among the states).
- B. Update laws (e.g. AS 18.05.042) to allow appropriate access to and interagency sharing of privileged medical information in times of a public health emergency.
- C. Revise laws (e.g. AS 18.50.230; 7AAC 05.400) to facilitate the issuance of death certificates in mass casualty situations where recovery of bodies may not be possible or recovery will take an extended period.
- D. Change AS 26.23 (Alaska Disaster Act) by adding "terrorist attack" to the definition of "disaster," and by adding the ability to allocate or redistribute pharmaceutical supplies to the Governor's powers under conditions of a disaster emergency.
- E. Change AS 26.20 (Civil Defense Act) by adding "terrorist attack" to the policy and purpose paragraph to insure this contingency is covered by the act.
- F. Modify AAC Title 17 as necessary to accommodate accomplishment of security improvements to the Alaska Marine Highway System (AMHS).
- G. Revise AS 02 to establish or authorize civil penalties for security infractions involving airport security.
- H. Revise AS 40.25.120 dealing with open public records to protect sensitive security documents.
- I. Revise AS 44.62.125 to exempt sensitive airport security programs from regulation adoption procedures of the Administrative Procedure Act.
- J. Establish legislation to ensure National Guard members who are also state employees do not lose state employment benefits or increases in seniority or retirement when they are mobilized for state or federal active duty.
- K. Review the definition of disaster contained in AS 26.20 to determine if the recent legislative changes to that statute adversely impact the State's ability to respond to a WMD event.

IX. FUNDING CONSIDERATIONS

- A. Many of the security tasks related to transportation are dictated by federal mandates such as those from the Federal Aviation Agency. Because of Alaska's unique geographic and transportation circumstances, the State will request waivers where appropriate. However, failure to adequately follow mandates that are not waived may result in unacceptable financial or operational sanctions by the federal government. Because of possible sanctions, it is important that security related funding issues be addressed expeditiously.

- B. Many of the recommendations in this report require financial investments over the next 18 months. Some of these activities can be handled internally by shifting work activities. But many are well beyond the scope of existing budgets.
- C. The level of federal support to states for the enormous financial burden of additional security and response capabilities is not yet known. There are indications that some federal funds may become available to either replace or supplement state support. The federal support might come in any one of several forms: supplemental federal agency budgets, an economic stimulus package, next year's federal budget, etc. However, substantial state general fund investments are inevitable, even if the federal government might ultimately reimburse some of that expense. There are also some costs that are more appropriately handled by local governments (e.g. their own planning work) or the private sector (e.g. pipeline security).

X. RECOMMENDATIONS FOR MOST URGENT REQUIREMENTS

- A. Begin monitoring access to the Dalton Highway and Yukon River Bridge by establishing a checkpoint south of the bridge. The bridge, in addition to being the critical feature on the Dalton Highway, also carries TAPS. Positive control of vehicles and personnel at a checkpoint could free up some of the security elements that currently patrol the northern section of the highway. These security elements would be available to provide a greater presence at the most critical and vulnerable areas of the pipeline where damage is much more difficult to repair.
- B. Develop procedures to expand the opportunities to use National Guard personnel under Title 32 for WMD emergencies to accomplish State and Federal requirements. This keeps command and control under the Governor but allows Federal funding for National Guard personnel and equipment.
- C. Review the statutory and regulatory changes in Section VIII for possible introduction to the Legislature or administrative action.
- D. Open the Fox Weigh Station on a 24-hour-per-day, seven days per week basis, to monitor trucks and cargo on the Dalton Highway.
- E. Establish pipeline defense drills and formal response and resource procedures for all emergencies.
- F. Increase ground and air patrols along the pipeline.
- G. Initiate an immediate study of Alaska Marine Highway System physical security requirements for ashore and afloat.
- H. Increase the presence and visibility of law enforcement officers at primary airports and implement a variety of other airport security measures.
- I. Develop a list of essential bridges and require maintenance personnel to check these bridges on a daily basis.
- J. Establish a Transportation Security Officer in DOT/PF to coordinate security of state facilities and disaster preparedness.
- K. Meet with key telecommunication providers to ensure disaster recovery planning is adequate to maintain continuity of operations and state government communications.

- L. Establish redundancy between the enterprise mail servers in Anchorage and Juneau.
- M. Fund and implement the North Zone Pilot of the Alaska Land Mobile Radio System.
- N. Establish an Enterprise Data/Network Security Manager Position.
- O. Identify telecommunications sites that need added security and take the necessary protective measures.
- P. Hire and train four additional Level A Hazardous Materials Response Teams to improve response capabilities for various regions of the state.
- Q. Train and equip a Level A Hazardous Materials Team for Juneau to provide regional coverage for Southeast Alaska.
- R. Improve the State's preparedness for chemical/biological/radiological and high-explosive/incendiary events with State plans for WMD, (including plans for transportation of mass casualties, receipt and distribution of the National Pharmaceutical Stockpile, and a plan for the detection of and response to biological terrorism); an improved intelligence system for the Alaska State Troopers; personnel and equipment decontamination sets; WMD training for first responders and emergency managers; protective equipment for first responders; additional Alaska State Troopers; completion of the Division of Public Health HealthAlert Network; equipment for the 103d Civil Support Team (WMD); improvements to the State Public Health Lab; increased public and environmental health surveillance and testing capabilities; and implementation of a statewide WMD exercise program.
- S. Establish an Office of Homeland Security to ensure intensive preparations for countering terrorism in Alaska. This office would mirror the effort at the national level for the Office of Homeland Security recently established by the President. A full description of Alaska's Office of Homeland Security, to include recommended duties and staffing requirements, was part of the full report given to the Governor.

XI. RECOMMENDATIONS FOR THE LONGER-TERM

- A. Complete and fund Phases I and II of the Alaska Land Mobile Radio System (recommended by every Sub-cabinet group).
- B. Hire additional State Troopers over a two-year period.
- C. Develop contingency plans for the State's critical bridges and stockpile moveable temporary bridge spans.
- D. Continue to improve security of Ted Stevens Anchorage and Fairbanks International Airports.
- E. Ensure the physical security of critical IT/Telecom sites.
- F. Continue to improve the State's Public Health and Environmental Health bioterrorism preparedness and response capabilities.
- G. Train and equip three additional Level A Hazardous Materials Response Teams for statewide rapid response.
- H. Continue to provide first responder protective equipment.
- I. Continue to provide WMD training and conduct WMD exercises.

- J. Procure an alternate State Emergency Coordination Center – a mobile center that can be moved out of harm's way and that can be used as an alternate Emergency Operations Center for communities throughout the State.

XII. CONCLUSION

- A. No community, state or nation will ever have the wealth to meet all responsibilities of government while building a stand-alone system that focuses solely on the protection from terrorism. It is important, therefore, to focus on strengthening existing programs, especially those that protect and save lives while improving capabilities for responding to all emergencies. Since full capabilities and a complete level of preparedness will never be possible in every locale, we must also have the ability to move resources quickly around the State. Another essential element of any response will revolve around the ability to communicate—on a continuous and comprehensive inter-agency network of telephone devices, computers, and radios.
- B. We must maximize the use of existing programs and grants at the local, state and federal levels to establish the broadest possible basis for the significant funding requirements. The cost of dealing with terrorism must be shared at all levels—government, business, charities, and the private sector.
- C. Alaska's constitutional framework, its strong Office of the Governor, and the emergency response policies and procedures that have evolved over the last ten years have given the State a superior ability to coordinate inter-agency efforts and accomplish emergency management. This structure provides an essential foundation for preventing, responding, and reacting to the threats of terrorism and incidents involving weapons of mass destruction.